

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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 SPENCER TRASK SOFTWARE AND :
 INFORMATION SERVICES LLC, formerly :
 known as SPENCER TRASK INTERNET :
 GROUP, LLC; and SPENCER TRASK :
 VENTURES, INC., :
 Plaintiffs, :
 v. :
 RPOST INTERNATIONAL LIMITED; :
 ZAFAR KAHN; and TERRY TOMKOW, :
 Defendants. :
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AMENDED CIVIL CASE
MANAGEMENT PLAN
 (JUDGE LEISURE)
 02 Civ. 1276 (PKL)

After consultation with counsel for the parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure.

- A. The case is to be tried by a jury.
- B. The deadline for the joinder of additional parties has passed.
- C. The deadline for the filing of amended pleadings without leave of Court has passed.
- D. Discovery (in addition to any disclosures required by Fed. R. Civ. P. 26(a)):
 - 1. Documents. First requests for production of documents have already been served. Further document requests may be served as required, but no document request may be served later than 30 days prior to the date of the close of discovery as set forth in item 6 below. Document production must be completed by August 31, 2008.
 - 2. Interrogatories. Interrogatories pursuant to Rule 33.3(a) of the Local Civil Rules of the Southern District of New York have already been served. No other interrogatories are permitted except upon prior permission of Judge Leisure.
 - 3. Experts. Every party-proponent of a claim (including any counterclaim, cross-claim, or third-party claim) that intends to offer expert testimony in respect of such claim must make the disclosures required by Fed. R. Civ. P. 26(a)(2) by July 28, 2008. No expert testimony will be permitted by other experts or beyond the scope of the opinions covered by the aforesaid disclosures except upon prior permission of the Court. All experts may be deposed, but such depositions must occur within the time limit for all depositions set forth in item 4 below.
 - 4. Depositions. All depositions (including any expert depositions, see item 3 above) must be completed by August 29, 2008. Depositions shall proceed concurrently, with no party having priority, and no deposition shall extend beyond one business day without prior leave of the Court.

5. Requests to Admit. Requests to Admit, if any, must be served by July 28, 2008.

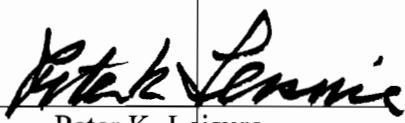
6. All discovery is to be completed by August 31, 2008. Interim deadlines for items 1-5 above may be extended by the parties on consent without application to the Court, provided the parties are certain they can still meet the discovery completion date set forth in this paragraph, which shall not be adjourned except upon a showing to the Court of extraordinary circumstances.

E. Post-discovery summary judgment motions in the form prescribed by the Court's Individual Rules of Practice may be brought after a pre-motion conference has been requested by the intended moving party. Motion filing schedules will be set at the pre-motion conference. The parties are instructed to furnish chambers with courtesy copies of all motion papers at the same time as their exchange among the parties.

F. A final pre-trial conference shall be held on _____ [date to be inserted by the Court], at which time the Court shall set a firm trial date. The timing and other requirements for the Joint Pretrial Order and/or other pre-trial submissions shall be governed by the Court's Individual Rules of Practice.

G. All motions and applications shall be governed by Judge Leisure's Individual Rules of Practice. Counsel shall promptly familiarize themselves with all of the Court's Individual Rules, as well as with the Local Rules for the United States District Court for the Southern District of New York.

SO ORDERED.


Peter K. Leisure
U.S.D.J.

DATED: New York, New York
4/03/08

Copies mailed to:
PATTERSON BELKNAP WEBB + TYLER
Butera & Andrews